

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	SACV 16-00686 AG (DFMx)	Date	June 27, 2017
Title	BRUCE CAHILL ET AL. v. PAUL PEJMAN EDALAT ET AL.		

Present: The Honorable	ANDREW J. GUILFORD
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Lisa Bredahl

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

**Proceedings: [IN CHAMBERS] ORDER REGARDING TRIAL  
PROCEDURE AND MOTIONS**

This Order concerns matters discussed during the hearing held on June 26, 2017, including motions in limine, and provides additional guidance on trial procedure.

**1. FINAL PRETRIAL CONFERENCE ORDER AND GENERAL MATTERS**

The Court has signed the Pretrial Conference Order. The parties are ORDERED to meet and confer in good faith on settlement, and on stipulations and other matters to shorten time, before trial.

**2. TRIAL TIMING**

Trial times generally are 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m., Tuesday through Thursday, and 8:00 a.m. to 1:30 p.m. on Friday, with the chance of going longer on some days when necessary. The trial in this case will start on Tuesday, July 25, 2017 at 9:00 a.m. This will be a timed trial as specified in a separate Order.

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### 3. TRANSCRIPT TESTIMONY

Any transcript testimony that must be reviewed by the Court for objections, counter-designations, etc., shall be submitted as early as possible.

### 4. JURY SELECTION PROCEDURE

The Court will use the Arizona Blind Strike Method of jury selection, and will provide additional instruction on this.

### 5. TRIAL PROCEDURES

As explained in the Court's standard scheduling order, available on its website, the parties are ORDERED to adhere to the following procedures.

#### 5.1 Parties' Statements of the Case

As discussed at the Pretrial Conference, the Parties will make a brief two-minute, non-argumentative statement to the jury at the beginning of Voir Dire.

#### 5.2 Voir Dire

The Court will question jurors concerning standard topics. Any special questions or topics requested to be put to prospective jurors by the Court on voir dire shall be filed and served timely.

#### 5.3 Jury Instructions

The Court uses instructions from the Manual of Model Jury Instructions for the Ninth Circuit, following all the Local Rules at Local Rule 51 *et seq.* The Court usually gives the following preliminary instructions to the jury before opening statement: 1.1B, 1.3, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.18, and 1.19. **At least seven days before trial**, counsel

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shall file with the Court the following:

- A joint set of jury instructions on which there is agreement.
- Each party's proposed jury instructions which are objected to by any other party. And for every disputed jury instruction, the following subsections: (1) The text of each competing instruction, presented side-by-side in a chart; (2) A redline comparison of the competing instructions; (3) Plaintiffs' points and authorities; and (4) Defendant's points and authorities.

The failure to timely follow these rules on jury instructions may be deemed a withdrawal of any right to submit instructions.

#### **5.4 Special Verdict**

If any special forms of verdict are requested, they shall be prepared, filed, and served under Local Rules 49-1 and 49-2.

#### **5.5 Exhibits**

COUNSEL SHOULD LIMIT THE NUMBER OF TRIAL EXHIBITS SUBMITTED FOR THE TRIAL. Ideally, at least 80% of the trial exhibits submitted should be properly offered into evidence at trial. Unless an electronic alternative is approved by the Court, the parties shall prepare an original set and a copy set of trial exhibits in 3-ring binders, each tabbed down the right side with the exhibit number, prefaced by an index of each exhibit, following Local Rule 26-3 in numbering exhibits. If voluminous exhibits will be delivered to the Court's loading dock, the delivery should be coordinated **before trial** with the Courtroom Deputy Clerk at [AG\\_chambers@cacd.uscourts.gov](mailto:AG_chambers@cacd.uscourts.gov). Following the Court's Order at the Pretrial Conference, the parties submitted an Amended Joint Exhibit List. (Dkt. No. 91.) The Court will rule on the parties' objections to the exhibits at trial.

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**5.6 Submission at Trial**

The parties shall submit the following to the Courtroom Deputy Clerk on the first day of trial:

- (1) The original exhibits binder set with the Court's exhibit tags attached and filled out showing the case number, case name, and exhibit number. (Exhibit tags must be attached so as not to cover exhibit text.)
- (2) The copy exhibit binder set for use by the Judge.
- (3) Three copies of exhibit lists, showing which exhibits may be received into evidence without objection.
- (4) Three copies of witness lists.
- (5) A transcript or copy of any deposition or other discovery response to be read to the jury, following Local Rule 16-2.7.

**5.7 Witnesses**

If a party runs out of witnesses, the Court may deem that party has rested. A party must keep opposing parties informed about upcoming witnesses, always informing opposing parties of the witnesses for the next court day before 5:00 p.m. of the previous court day. Only one attorney per party shall examine and defend a witness, except in special circumstances.

**5.8 Admission of Exhibits**

When a party thinks an exhibit is admissible and should be admitted, that party should move for its admission.

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**5.9 Objections**

Objections should be brief, stating only, “Objection” followed by the specific legal ground such as “Hearsay” or “403.”

**5.10 Decorum**

Trials will be conducted in a dignified manner, following the traditional rules of trial decorum. Show respect for the trial process by being on time. Do not address witnesses over age 14 by their first names. Most examination and argument should be done at the lectern. The Court recognizes that at times it is necessary to enter the well in this courtroom.

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Initials of Preparer      lmb

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